

Thomas J. Engellenner
Direct Line: 617-439-2948
Fax: 617-310-9948
E-mail: tje@nutter.com

May 3, 2002

RECEIVED
MAY 17 2004
TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents
Washington, D.C. 20231

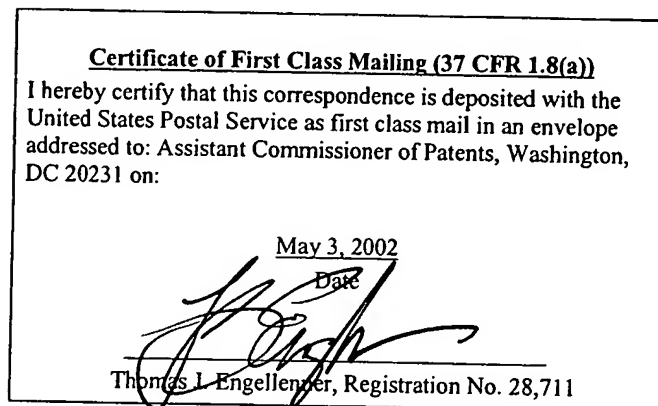
Re: U.S. Patent Application No. 10/005,040
METHOD AND APPARATUS FOR THERAPEUTIC TREATMENT OF SKIN
Applicant: Peter J. Klopotek
Attorney Docket No: 101646-6

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO-1449, thirty-one (31) references cited therein;
3. Return postcard.

Please charge any additional fee to our Deposit Account No. 141449.



Respectfully submitted,

Thomas J. Engellenner
Reg. No. 28,711
Nutter, McClennen & Fish, LLP
One International Place
Boston, MA 02110-2699



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter J. Klopotek
Application No. : 10/005,040
Filed : December 4, 2001
Entitled : METHOD AND APPARATUS FOR
THERAPEUTIC TREATMENT OF
SKIN
Docket No. : 101646-6

Group Art Unit: 3737

Examiner: Not Yet Assigned

RECEIVED
MAY 17 2004
TECHNOLOGY CENTER R3700

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

May 3, 2002

By:

Date of Signature and Mail Deposit

Thomas J. Engellenner
Reg. No: 28,711

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:


Applicant hereby cites for the record in this application the enclosed documents listed on the attached copy of PTO Form 1449. The enclosed Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits. Accordingly, Applicant believes that no fee or certification is required.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 141449.

Respectfully submitted,

NUTTER, MCCLENNEN & FISH, LLP

Date: May 3, 2002



Thomas J. Engellom
Reg. No. 28,711
Attorney for Applicant

One International Place
Boston, MA 02110-2699
Tel: (617)439-2948
Fax: (617)310-9948

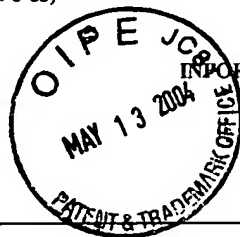
1101887.1

Form PTO-1449
(Rev. 8-83)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO:
101646-6

APPLICATION NO:
10/005,040



INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANTS:
Peter J. Klopotek

FILING DATE:
December 4, 2001

GROUP ART UNIT:
3737

U.S. PATENT DOCUMENTS

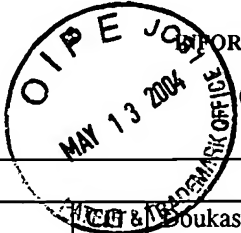
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	AA	4	7	8	7	3	7	3	11/29/88	Vogel	128	24	
	AB	4	8	9	3	6	2	4	01/16/90	Lele	128	399	
	AC	4	9	3	8	2	1	6	07/03/90	Lele	128	399	
	AD	4	9	3	8	2	1	7	07/03/90	Lele	128	399	
	AE	4	9	6	0	1	0	9	10/02/90	Lele	128	736	
	AF	5	2	3	0	3	3	4	07/27/93	Klopotek	128	399	
	AG	5	5	0	1	6	5	5	03/26/96	Rolt et al.	601	3	
	AH	5	5	0	7	7	9	0	04/16/96	Weiss	607	100	
	AI	5	6	1	8	2	7	5	04/08/97	Bock	604	290	
	AJ	6	3	2	5	7	6	9	12/04/01	Klopotek	601	2	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	CA	Bacon, D.R. and Shaw, A., "Experimental Validation of Predicted Temperature Rises in Tissue-Mimicking Materials," <i>Phys. Med. Biol.</i> , vol. 38, 1647-59 (1993);
	CB	Barnett, S.B. et al., "Current Status of Research on Biophysical Effects of Ultrasound," <i>Ultrasound in Med. & Biol.</i> , vol. 20, no. 3, 205-18 (1994);
	CC	Chandraratna, P. et al., "Characterization of Collagen by High-Frequency Ultrasound: Evidence for Different Acoustic Properties Based on Collagen Fiber Morphologic Characteristics," <i>Am. Heart. J.</i> , vol. 133, 364-8 (1997);
	CD	Coleman, A.J. and Saunders, J.E., "A Review of the Physical Properties and Biological Effects of the High Amplitude Acoustic Fields Used in Extracorporeal Lithotripsy," <i>Ultrasonics</i> , vol. 31, no. 2, 75-89 (1993);
	CE	Crum, L.A. et al., "Acoustic Cavitation Produced by Microsecond Pulses of Ultrasound: A Discussion of Some Selected Results," <i>J. Acoust. Soc. Am.</i> , vol. 91, no. 2, 1113-9 (Feb. 1992);
	CF	Doukas, A. et al., "Biological Effects of Laser-Induced Shock Waves: Structural and Functional Cell Damage <i>In Vitro</i> ," <i>Ultrasound in Med. & Biol.</i> , vol. 19, no. 2, 137-46 (1993);
Examiner		Date Considered:
		*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Rev. 8-83)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		<div style="text-align: center;"> RECEIVED MAY 17 2004 TECHNOLOGY CENTER R3700 </div>	
		INFORMATION DISCLOSURE CITATION			
		(Use several sheets if necessary)			
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)					
		Doukas, A., "Laser-generated Stress Waves in Medicine: From Tissue Injury to Drug Delivery," <i>OSA Trends in Optics and Photonics Series</i> , vol. 22, 312-6 (March 8-11, 1998);			
	CH	Doukas, A.G. and Flotte, T.J., "Physical Characteristics and Biological Effects of Laser-Induced Stress Waves," <i>Ultrasound in Med. & Biol.</i> , vol. 22, no. 2, 151-64 (1996);			
	CI	Doukas, A. et al., "Physical Factors Involved in Stress-Wave-Induced Cell Injury: The Effect of Stress Gradient," <i>Ultrasound in Med. & Biol.</i> , vol. 21, no. 7, 961-7 (1995);			
	CJ	Enwemeka, C. et al., "The Biomechanical Effects of Low-Intensity Ultrasound on Healing Tendons," <i>Ultrasound in Med. & Biol.</i> , vol. 16, no. 8, 801-7 (1990);			
	CK	Fan, X. and Hynynen, K., "Control of the Necrosed Tissue Volume During Noninvasive Ultrasound Surgery Using a 16-element Phased Array," <i>Med. Phys.</i> , vol. 22, no. 3, 297-306 (March 1995);			
	CL	Gelfand, J. et al., "Alterations in Body Temperature," In <i>Harrisons's Principles of Internal Medicine</i> , Kurt J. Isselbacher et al., eds. (McGraw Hill), pp. 81-5, 2473-6 (1994);			
	CM	Grundlagen, A., "Therapeutischer Ultrascha in der Tumorthherapie," <i>Radiology</i> , vol. 36, 64-71 (1996);			
	CN	Lask, G. et al., "Nonablative Laser Treatment of Facial Rhytides," Conference 2870D, February 9, 1997 Part of SPIE Proceedings Vol. 2970, Cutaneous Applications of Lasers: Dermatology, Plastic Surgery, and Tissue Welding, 1-12;			
	CO	Miller, M. et al., "A Review of <i>In Vitro</i> Bioeffects of Inertial Ultrasonic Cavitation From a Mechanistic Perspective," <i>Ultrasound in Med. & Biol.</i> , vol. 22, no. 9, 1131-54 (1996);			
	CP	Nyborg, W., "Scientifically Based Safety Criteria for Ultrasonography," <i>J. Ultrasound Med.</i> , vol. 11, 425-32 (1992);			
	CQ	Payne, P., "Measurement of Properties and Function of Skin," <i>Clin. Phys. Physiol. Meas.</i> , vol. 12, no. 2, 105-29 (1991);			
	CR	Ramirez, A. et al., "The Effect of Ultrasound on Collagen Synthesis and Fibroblast Proliferation <i>In Vitro</i> ," <i>Medicine and Science in Sports and Exercise</i> , 326-32 (1997);			
	CS	Weaver, J. A. et al., Mathematical Model of Skin Exposed to Thermal Radiation," <i>Aerospace Medicine</i> , January 1969, 24-30;			
	CT	Webster, D.F. et al., "The Role of Cavitation in the <i>In Vitro</i> Stimulation of Protein Synthesis in Human Fibroblasts by Ultrasound," <i>Ultrasound in Med. & Biol.</i> , vol. 4, 343-51 (1978);			
	CU	Webster, D.F. et al., "The Role of Ultrasound-Induced Cavitation in the "In Vitro" Stimulation of Collagen Synthesis in Human Fibroblasts," <i>Ultrasonics</i> , 33-7 (January 1980).			
Examiner		Date Considered:			
		*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.			



Appl. No. 10/005,040 Atty Docket No. 1016416-6 By: TJE
Title: METHOD AND APPARATUS FOR THERAPEUTIC TREATMENT OF SKIN
Application of Peter J. Klopdek

* The Following, DUE _____ in the U.S. PTO, was received in Mail Room on the date stamped hereon:

- ☒ Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____
☒ Cert. of Mailing under; 37 CFR 1.8 (a)
☐ Application for Patent inc. _____ pgs.
(_____ pgs.) Specification, (_____ pgs.) Abstract,
(_____ pgs.) Claims (Claims _____)
☐ Declaration Petition / Power of Attorney
☐ Design Patent Application & Declaration & Oath
☐ Drawings _____ Sheet(s) ☐ Formal ☐ Informal
(Figs. _____)

- ☐ Verified Statement to establish a small entity status
☐ Continuing prosecution app under 37 CFR 1.53(d)
☐ Assignment & Recordation Cover Sheet

- ☒ Inf. Disc. Statement, PTO Form 1449 and 31
Reference(s) Cited
☐ PCT Request 101 (_____ sheets)
☐ Chapter II Demand
☐ PCT Fee/Calculation/Authorization Sheet
☐ Response to Correct Defects
☐ Check for \$ _____ Check # _____
Check for \$ _____ Check # _____
☐ Amendment/Response
☐ Letter to Official Draftsman
☐ Response to Notice to File Missing Parts
☐ Notice of Appeal
☐ Power of Attorney
☐ Brief (_____ x3)

RECEIVED

MAY 17 2004

TECHNOLOGY CENTER R3700

5011 Rev. 9/00

Appl. No. 10/005,040 Atty Docket No. 1016416-6 By: TJE
Title: METHOD AND APPARATUS FOR THERAPEUTIC TREATMENT OF SKIN
Application of Peter J. Klopdek

* The Following, DUE _____ in the U.S. PTO, was received in Mail Room on the date stamped hereon:

- ☒ Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____
☒ Cert. of Mailing under; 37 CFR 1.8 (a)
☐ Application for Patent inc. _____ pgs.
(_____ pgs.) Specification, (_____ pgs.) Abstract,
(_____ pgs.) Claims (Claims _____)
☐ Declaration Petition / Power of Attorney
☐ Design Patent Application & Declaration & Oath
☐ Drawings _____ Sheet(s) ☐ Formal ☐ Informal
(Figs. _____)

- ☐ Verified Statement to establish a small entity status
☐ Continuing prosecution app under 37 CFR 1.53(d)
☐ Assignment & Recordation Cover Sheet
☐ Revocation of Power of Attorney & Appointment
of New Power of Attorney
☐ Bibliographic Data Sheet
☐ Other

- ☒ Inf. Disc. Statement, PTO Form 1449 and 31
Reference(s) Cited
☐ PCT Request 101 (_____ sheets)
☐ Chapter II Demand
☐ PCT Fee/Calculation/Authorization Sheet
☐ Response to Correct Defects
☐ Check for \$ _____ Check # _____
Check for \$ _____ Check # _____
☐ Amendment/Response
☐ Letter to Official Draftsman
☐ Response to Notice to File Missing Parts
☐ Notice of Appeal
☐ Power of Attorney
☐ Brief (_____ x3)
☐ Petition for Ext. of Time(x2)
☒ Transmittal Letter
☐ Fee Transmittal Letter
☐ Maintenance Fee Transmittal

Mailing Date May 3, 2004

5011 Rev. 9/00

NOTER MCCLENNEN & FISH LLP
PO BOX 1400
BOSTON MA 02205-8960

STAGE
SARY
ILED
HE
STATES

